

**CHILD NUTRITION PROGRAM
STATE WAIVER REQUEST**

**KY SFSP Request for Waiver to allow CACFP At-Risk and Centers in good standing the option to conduct the first week visit
(SP 06-2014, SFSP 06-2014, CACFP 03-2014 rescinded)**

- 1. State agency submitting waiver request and responsible State agency staff contact information:** Kentucky Department of Education, Division of School and Community Nutrition, Summer Food Service Program. Contact: Cathy Gallagher
Cathy.Gallagher@education.ky.gov
- 2. Region:** Southeast
- 3. Eligible service providers participating in waiver and affirmation that they are in good standing:** Summer Food Service Program CACFP At-Risk sponsors who are not found to be seriously deficient or do not have significant deficiencies as a result of a SFSP Sponsor Administrative review. Also, these CACFP organizations must currently be in good standing in the CACFP as defined as having been reviewed during the previous 12 months and had no significant deficiencies.
- 4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:**
In KY, even with annual growth in the number of sites and meals served, there is a need is still great and many more sites are needed. The high poverty rate and high number of free/reduced eligible households makes SFSP an essential program in the summer to ensure children receive nutritious meals while school is out. With the need to grow the program in KY by adding sites, sponsors are busy ensuring that new sites are safe and appropriate and are serving according to regulation. The flexibility to waive the requirement that sponsors conduct a site visit at all sites during the first week of operation and instead allow sponsors the option *not* to conduct SFSP site visits during the first week of site operations if they are a CACFP At-Risk sponsor in good standing. Waiving this requirement helps sponsors target their monitoring resources to sites that need additional oversight and reduces duplication of efforts. These sponsors, familiar with federal child nutrition program regulations and requirements, would benefit from streamlining in the program, which this waiver is designed to do. The SA encourages sponsors, as a best practice, to conduct first week visits on any new sites to ensure any needed program corrections are made early in the course of the summer. The SA requires sponsors to conduct a first week visit on returning sites that were problematic the previous year. This helps sponsors target their monitoring resources to sites that need additional oversight and reduces duplication of efforts. These sponsors, familiar with federal child nutrition program regulations and requirements, would benefit from streamlining in the program, which this waiver is designed to do.

Additionally, this simplifies the administration of the SFSP and decreases the burden and paperwork for sponsoring organizations.

5. **Specific Program requirements to be waived (include statutory and regulatory citations).** [Section 12(l)(2)(A)(i) of the NSLA]: 7 CFR 225.15(d) “ Sponsors shall visit each of their sites at least once during the first week of operation under the Program and shall promptly take such actions as are necessary to correct any deficiencies.”
6. **Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:** Instead of conducting the site visits at returning sites where no problems are anticipated, SFA sponsors in good standing can spend more time ensuring operations are successful at new sites or oversee other aspects of the program to ensure integrity. This is especially helpful for large SFSP sponsors with multiple sites. This would positively affect sponsor program operations and monitoring requirements. No technology impact is anticipated. There is already a system in place in the online application system the SA uses that allows sponsors to enter that a site and had no significant deficiencies in the previous year. The SA can use the online system to verify if a site had review findings that signify a deficiency that would require a first week visit in the current year. The SA will also realize a reduction in workload with less first week visits to check upon Sponsor review.
7. **Description of any steps the State has taken to address regulatory barriers at the State level.** [Section 12(l)(2)(A)(ii) of the NSLA]: There are no regulatory barriers at the State level regarding first week site visits.
8. **Anticipated challenges State or eligible service providers may face with the waiver implementation:**
The waiver has been an option in KY four years prior to federal rescission, and there were no challenges with its application. None are expected with its continued application.
9. **Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds.** [Section 12(l)(1)(A)(iii) of the NSLA]: This waiver will reduce administrative and operating costs for sponsors and will not increase the overall cost of the program to the Federal Government. There are no anticipated increases.
10. **Anticipated waiver implementation date and time period:** May 1 2020:
Implementation date. Time period May 1-2020-April 30, 2021

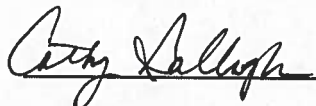
11. Proposed monitoring and review procedures: Sponsors request waiver of first week visit in online application system. There are questions about whether a site had deficiencies or problems the previous year, therefore the State Agency can monitor which sites this request applies to. Upon administrative SFSP sponsor review, reviewer can verify that first week visits are conducted at new or problematic sites and not waived for these. (It would be a finding if a required site visit was not conducted).

12. Proposed reporting requirements (include type of data and due date(s) to FNS): The number of sites for which this waiver is granted will be reported, as well as any findings from sponsor reviews associated with the waiver. Report due date to FNS: November 30 of each year the waiver applies.

13. Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(l)(1)(A)(ii) of the NSLA]:

[https://education.ky.gov/federal/SCN/Pages/Summer-Food-Service-Program-\(SFSP\).aspx](https://education.ky.gov/federal/SCN/Pages/Summer-Food-Service-Program-(SFSP).aspx)

14. Signature and title of requesting official :

 11/15/19 Cathy Gallagher

Title: Child Nutrition Program Manager, KY Dept. of Education Requesting official's email address for transmission of response:
cathy.gallagher@education.ky.gov

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.

Date request was received at Regional Office:

Check this box to confirm that the State agency has provided public notice in accordance with Section 12(l)(1)(A)(ii) of the NSLA

- **Regional Office Analysis and Recommendations:**